

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

STEPHON CHAPMAN,

PLAINTIFF

V.

NO. 4:07CV0052-P-D

STATE OF MISSISSIPPI, et al.,

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION**

The *pro se* Plaintiff, an inmate, brings this complaint pursuant to 42 U.S.C. § 1983. Plaintiff complains that he suffered a broken foot while playing basketball and that there was a 110 day delay in diagnosis and treatment. Plaintiff was afforded the opportunity to clarify and specifically state his claims at a *Spears* hearing. Following the *Spears* hearing, Magistrate Judge Jerry A. Davis filed a Report and Recommendation on October 4, 2007, recommending dismissal of several Defendants finding that Plaintiff had failed to demonstrate their direct and personal involvement and several Defendants that admittedly provide medical treatment. On October 15, 2007, Plaintiff filed Objections to the Report and Recommendation.

The court finds that Plaintiff's arguments are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

1) the Plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court;

3) all claims against Defendants the State of Mississippi, Joe Thornton, Christopher Epps, Lawrence Kelly, Greg Waggoner, Dr. Leatrice Liddell, Dr. Tom Leman, Dr. Trinica, and Dr. Kim are DISMISSED with prejudice;

4) Plaintiff's claims shall proceed as to Defendants Rochele Walker, Howard Johnson, Vickey Price, Fr. "Unknown" Webb, Dr. Juan Santos, and Monica William.

SO ORDERED, this the 27th day of November, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE